

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Steffen Goletz, et al.)	Group Art Unit: 1643
)	
Serial No.: 10/522,087)	Examiner: Hong Sang
)	
Filed: July 26, 2005)	
)	Confirmation No.: 7596
For: METHOD FOR THE)	
PRODUCTION OF AN)	
IMMUNOSTIMULATING MUCIN)	
(MUC1))	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement dated February 4, 2008, the Examiner required restriction under 35 U.S.C. § 121 and 372 between the following groups.

Group I claim(s) 1-3, 7 and 9-11, drawn to a method for the production of a MUC1 molecule which is able to generate an immune response in humans, and a method for identification of a MUC1 molecule which is able to generate an immune response in humans, a method for producing a pharmaceutical composition comprising said MUC1 molecule.

Group II claims(s) 4-6, 7 and 9-11, drawn to a method for producing cells comprising a MUC1 molecule which is able to generate an immune response in humans, and a method of identifying cells comprising a

MUC1 molecule which is able to generate an immune response in humans, a method for producing a pharmaceutical composition comprising said MUC1 cells.

- Group III claim(s) 8-12, drawn to a method for producing an antibody, a method for producing a pharmaceutical composition comprising the antibody, the method comprising carrying out the steps of the method according to Group I.
- Group IV claim(s) 8-12, drawn to a method for producing an antibody, a method for producing a pharmaceutical composition comprising the antibody, the method comprising carrying out the steps of the method according to Group II.
- Group V claim(s) 13, drawn to purified MUC1 molecule which has an immunostimulating effect in humans.

Additionally, the Examiner required two species elections. The first is the election of a single antibody, and the second is the election of a single sample as follows:

- (a) A76-A/C7, VU-11E2, VU-11D1, BC4E549, VU-12E1, VU-3D1, and b-12; and
- (b) tumor tissues (including tumor cells, or the lysate and/or cellular supernatant thereof), body fluids (including the cell lysate and/or cellular supernatant thereof), cell lines (including the cell lysate and/or cellular supernatant thereof), recombinant cells that express and/or secrete tumor associated MUC1 molecules, and recombinant cells that carry and/or secrete immunostimulating molecules.


Applicants elect to prosecute Group I, claims 1-3, 7, and 9-11 and elect antibody species A76-A/C7 and sample species cell lines, including the cell lysate and/or cellular supernatant thereof.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: August 4, 2008

By: 

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